

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

SMART MOBILE TECHNOLOGIES LLC,

Plaintiff,

v.

APPLE INC.

Defendant.

Civil Action No. 6:21-cv-00603-ADA

ORDER

On June 28, 2022, the Court held a hearing and heard argument on the discovery dispute between Smart Mobile Technologies LLC (“Smart Mobile”) and Apple Inc. (“Apple”) (collectively, the “Parties”) regarding venue-related requests for production propounded by Smart Mobile to Apple. Having considered the Parties’ discovery dispute summary and the arguments of counsel at the hearing, the Court orders the following relief:

Apple is ORDERED to produce to Smart Mobile, within twenty (20) days of entry of this Order:

1. Documents or Electronically Stored Information responsive to Smart Mobile’s Request No. 1 sufficient to derive or ascertain the identity of each model of CPU, Wi-Fi Module, and Cellular Module, for accused products identified in Smart Mobile’s Preliminary Infringement Contentions, that was in whole or substantial part manufactured for Apple by Samsung in WDTX, and when such models were manufactured, to the extent such documents are in Apple’s possession, custody, or control. (“Substantial part” includes but is not limited to fabrication of blank silicon

- wafers into finished silicon wafers containing circuitry for a CPU, Wi-Fi Module, or Cellular Module.) In lieu of producing such documents, Apple may provide a summary document containing this information, to the extent such information is in Apple's possession, custody, or control.
2. Non-public documents containing information regarding Apple or any Samsung entity that were submitted in connection with briefing on any motion to transfer filed in the United States District Court for the Eastern District of Texas in *ZiiLabs Inc., Ltd. v. Samsung Electronics Co. Ltd., Samsung Electronics America, Inc., Samsung Telecommunications America, LLC, Samsung Austin Semiconductor, LLC, and Apple Inc.*, Case No. 2:14-cv-203-JRG-RSP, to the extent such documents are in Apple's possession, custody, or control. If any such documents contain information that a party other than Apple designated as confidential, Apple shall identify such documents and provide a copy of the applicable protective order. If Smart Mobile and Apple are unable to resolve any disputes regarding production of such documents to Smart Mobile, they may raise the issue with the Court for determination.
 3. Non-public documents containing information regarding Apple or any Samsung entity that were submitted in connection with briefing on any motion to transfer filed in the United States District Court for the Eastern District of Texas in *Parthenon Unified Memory Architecture LLC v. Apple Inc.*, Case No. 2:15-cv-00621-JRG-RSP, to the extent such documents are in Apple's possession, custody, or control. If any such documents contain information that a party other than Apple designated as confidential, Apple shall identify such documents and provide a copy of the applicable protective order. If Smart Mobile and Apple are unable to resolve any disputes regarding

production of such documents to Smart Mobile, they may raise the issue with the Court for determination.

All other relief regarding the discovery dispute heard on June 28, 2022 is denied.

SIGNED this 6th day of July, 2022.



Hon. Derek T. Gilliland
UNITED STATES MAGISTRATE JUDGE